



**Fw: Fw: 01/19/2012 Telephone Call [CABOT]**  
**Bernadette Rappold** to: Steven Chester  
Cc: Tim Sullivan, Andrew Stewart, "Elliott Gilbert", Anne Berube, Karin Leff

01/19/2012 03:46 PM

From: Bernadette Rappold/DC/USEPA/US  
To: Steven Chester/DC/USEPA/US@EPA  
Cc: Tim Sullivan/DC/USEPA/US@EPA, Andrew Stewart/DC/USEPA/US@EPA, "Elliott Gilbert" <gilberg.elliott@epa.gov>, Anne Berube/DC/USEPA/US@EPA, Karin Leff/DC/USEPA/US@EPA

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FYI

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Bernadette Rappold, Director  
Special Litigation and Projects Division (MC 2248)  
Office of Civil Enforcement  
U.S. EPA  
1200 Pennsylvania Avenue, NW  
Room 3118B, ARS  
Washington, DC 20460

Telephone: (202) 564-4387  
Fax: (202) 501-0363

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-----Forwarded by Bernadette Rappold/DC/USEPA/US on 01/19/2012 03:45PM -----  
To: Bernadette Rappold/DC/USEPA/US, Karin Leff/DC/USEPA/US, Anne Berube/DC/USEPA/US, Andrew Stewart/DC/USEPA/US  
From: Cecil Rodrigues/R3/USEPA/US  
Date: 01/19/2012 03:33PM  
Subject: Fw: 01/19/2012 Telephone Call [CABOT]

Cecil Rodrigues

Humane Zia

----- Original Message -----

**From:** Humane Zia  
**Sent:** 01/19/2012 02:52 PM EST  
**To:** William Early; Cecil Rodrigues; Shawn Garvin; Kathy Hodgkiss; Heather Gray; Dennis Carney  
**Subject:** Fw: 01/19/2012 Telephone Call [CABOT]

THIS MEMO MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATIONS

Hi I just got this: Ex. 5 - Deliberative -Humane

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Humane L. Zia  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency - Region III  
Office of Regional Counsel  
1650 Arch Street (3RC41)  
Philadelphia, PA 19063-2029  
215.814.3454 / 215.814.2603 fax

----- Forwarded by Humane Zia/R3/USEPA/US on 01/19/2012 02:47 PM -----

From: "Barrette, Amy L." <abarrette@fulbright.com>  
To: Humane Zia/R3/USEPA/US@EPA  
Cc: "Komoroski, Kenneth" <kkomoroski@fulbright.com>, "Barrette, Amy L." <abarrette@fulbright.com>  
Date: 01/19/2012 02:46 PM  
Subject: 01/19/2012 Telephone Call

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Dear Humane,

I am writing to confirm our conversation today. You telephoned me in my role as counsel to Cabot Oil & Gas Corporation (Cabot) and advised that the United States Environmental Protection Agency (USEPA) is planning to conduct sampling at approximately 61 homes in the Dimock Area. You offered that Cabot could obtain split samples, and indicated that the Pennsylvania Department of Environmental Protection was invited by USEPA to obtain split samples from USEPA's activities as well.

You also stated that the USEPA had made a determination that four (4) homes in the Dimock area required water delivery, even before such sampling was conducted and before the results were obtained, and that the EPA was asking Cabot if it wished to provide water to these four homes. You asked that Cabot respond by close of business TODAY, and if Cabot agreed to provide the water, that it was to be delivered by 2:00 p.m. EST, Friday, January 20, 2012 (TOMORROW). You also stated that the USEPA asked the DEP to "oversee" the water deliveries in the event that Cabot agreed to supply the water. You informed me that if Cabot declined to provide water to these residents, that USEPA would provide water to them. When I asked which four homes required water, you were unable or unwilling to provide that information to me.

Cabot is unable to make an informed decision in response to USEPA's request. At the time USEPA made the request, USEPA was unwilling to identify the names or addresses of the locations for water delivery, the reason why water would need to be

delivered, the data that USEPA relied upon in making this request and the authority for USEPA's request. Thus, USEPA has provided no information upon which anyone could make an informed decision and has failed or refused to identify even the need for such action.

Cabot continues to be prepared to immediately meet with USEPA to review any and all data and to assist with the evaluation or interpretation of the data. As you know, Cabot has already and recently provided extensive amounts of data to USEPA and this data has been carefully prepared and reviewed by professional third party environmental consultants. The data indicates clearly that no primary drinking water standards have been exceeded and that thus the water supplies are safe for drinking, bathing and all other household uses. On this and other relevant bases, the Pennsylvania DEP appropriately authorized the cessation of delivery of temporary water supplies. USEPA has provided no information to the contrary in making its request of Cabot.

We look forward to receiving further information from USEPA and the opportunity to meet and discuss the data and USEPA's concerns.

Kindest Regards,  
Amy Barrette

**Amy L. Barrette**, *Partner*

**FULBRIGHT & Jaworski L.L.P.** • Southpointe Energy Complex • 370 Southpointe Boulevard, Suite 100 • Canonsburg, Pennsylvania 15317  
T: 724 914 0014 • F: 724 416 0404 • [abarrette@fulbright.com](mailto:abarrette@fulbright.com) • [www.fulbright.com/abarrette](http://www.fulbright.com/abarrette)

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